

JOINT RULES

JOINT RULE ONE

(As amended April 1998)

LOBBYIST REGISTRATION AND REPORTING

1.1—Those Required to Register; Exemptions; Committee Appearance Records

(1) All lobbyists before the Florida Legislature must register with the Lobbyist Registration Office in the Division of Legislative Information Services of the Office of Legislative Services, referred to in Joint Rule One as the Lobbyist Registration Office. Registration is required for each principal represented.

(2) As used in this rule, unless the context otherwise requires:

(a) "Designated lobbyist" means the lobbyist who is appointed, by a principal represented by two or more lobbyists, to file expenditure reports that include lobbying expenditures made directly by the principal.

(b) "Legislative action" means introduction, sponsorship, testimony, debate, voting, or any other official action on any measure, resolution, amendment, nomination, appointment, or report of, or any matter which may be the subject of action by, either house of the Legislature or any committee thereof.

(c) "Lobby" or "lobbying" means influencing or attempting to influence legislative action or nonaction through oral or written communication or an attempt to obtain the goodwill of a member or employee of the Legislature.

(d) "Lobbyist" means a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. An employee of the principal is not a "lobbyist" unless the employee is principally employed for governmental affairs. "Principally employed for governmental affairs" means that one of the principal or most significant responsibilities of the employee to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government. Any person employed by any executive, judicial, or quasi-judicial department of the state or any community college of the state who seeks to encourage the passage, defeat, or modification of any legislation by personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, is a lobbyist.

(e) "Payment" or "salary" means wages or any other consideration provided in exchange for services, but does not include reimbursement for expenses.

(f) "Principal" means the person, firm, corporation, or other entity which has employed or retained a lobbyist. When an association has employed or retained a lobbyist, the association is the principal; the individual members of the association are not principals merely because of their membership in the association.

(3) For purposes of this rule, the terms "lobby" and "lobbying" do not include any of the following:

(a) Response to an inquiry for information by any member, committee, or staff of the Legislature.

(b) An appearance in response to a legislative subpoena.

(c) Advice or services which arise out of a contractual obligation with the Legislature, a member, a committee, any staff, or any legislative entity to render the advice or services where such obligation is fulfilled through the use of public funds.

(d) Representation of a client before the House of Representatives or the Senate, or any member or committee thereof, when the client is subject to disciplinary action by the House of Representatives or the Senate, or any member or committee thereof.

(4) For purposes of registration and reporting, the term "lobbyist" does not include any of the following:

(a) A member of the Legislature.

(b) A person who is employed by the Legislature.

(c) A judge who is acting in that judge's official capacity.

(d) A person who is a state officer holding elective office or an officer of a political subdivision of the state holding elective office and who is acting in that officer's official capacity.

(e) A person who appears as a witness or for the purpose of providing information at the written request of the chair of a committee, subcommittee, or legislative delegation.

(f) A person employed by any executive, judicial, or quasi-judicial department of the state or community college of the state who makes a personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, while that person is on approved leave or outside normal working hours, and who does not otherwise meet the definition of lobbyist.

(5) When a person, whether or not the person is registered as a lobbyist, appears before a committee of the Legislature, that person must submit a Committee Appearance Record on a form to be provided by the respective house.

1.2—Method of Registration

(1) Each person who is required to register under Joint Senate and House Rule 1.1 must register on forms furnished by the Lobbyist Registration Office, on which that person must state, under oath, that per-

son's name, business address, and phone number, the name and business address of each principal that person represents, the areas of that person's legislative interest, and the extent of any direct business association or partnership that person has with any member of the Legislature. The Lobbyist Registration Office or its designee is authorized to acknowledge the oath of any person who registers in person. Any changes to the information provided in the registration form must be reported to the Lobbyist Registration Office in writing within 15 days on forms furnished by the Lobbyist Registration Office.

(2) Any person required to register must do so with respect to each principal prior to commencement of lobbying on behalf of that principal. At the time of registration, the registrant shall provide a statement signed by the principal or principal's representative that the registrant is authorized to represent the principal. Any person required to register must renew the registration annually, in accordance with Joint Senate and House Rule 1.3.

(3) If a principal has one lobbyist registered, another lobbyist for that principal shall not be allowed to register until one of the lobbyists has been appointed by the principal in writing to the Lobbyist Registration Office as the principal's designated lobbyist for expenditure reporting. A principal may appoint its first registered lobbyist as the designated lobbyist upon that lobbyist's registration and may change its designated lobbyist at any time.

(4) A lobbyist shall promptly send a notice to the Lobbyist Registration Office, on forms furnished by the Lobbyist Registration Office, cancelling the registration for a principal upon termination of the lobbyist's representation of that principal. Notwithstanding this requirement, the Lobbyist Registration Office may remove the name of a lobbyist from the list of registered lobbyists if the principal notifies the Lobbyist Registration Office that the lobbyist is no longer authorized to represent that principal.

(5) The Lobbyist Registration Office shall publish on the first Monday of each regular session and weekly thereafter through the end of that session a compilation of the names of persons who have registered and the information contained in their registrations.

(6) The Lobbyist Registration Office shall retain all original documents submitted under this section.

(7) A person who is required to register under this rule, or who chooses to register, shall be considered a lobbyist of the Legislature for the purposes of sections 112.3148 and 112.3149, Florida Statutes, relating to reporting and prohibited receipt of gifts and honoraria.

1.3—Registration Costs; Exemptions

(1) To cover the costs incurred in administering this joint policy, each person who registers under Joint Senate and House Rule 1.1 must pay an annual registration fee to the Lobbyist Registration Office. The annual

period runs from January 1 to December 31. These fees must be paid at the time of registration.

(2) The following persons are exempt from paying the fee, provided they are designated in writing by the agency head or person designated in this subsection:

(a) Two employees of each department of the executive branch created under chapter 20, Florida Statutes.

(b) Two employees of the Game and Fresh Water Fish Commission.

(c) Two employees of the Executive Office of the Governor.

(d) Two employees of the Commission on Ethics.

(e) Two employees of the Florida Public Service Commission.

(f) Two employees of the judicial branch designated in writing by the Chief Justice of the Florida Supreme Court.

(3) The annual fee is up to \$50 per each house for a person to register to represent one principal and up to an additional \$10 per house for each additional principal that the person registers to represent. The amount of each fee shall be established annually by the President of the Senate and the Speaker of the House of Representatives. The fees set shall be adequate to ensure operation of the lobbyist registration and reporting operations of the Lobbyist Registration Office. The fees collected by the Lobbyist Registration Office under this joint policy shall be deposited in the State Treasury and credited to the Legislative Lobbyist Registration Trust Fund specifically to cover the costs incurred in administering this joint policy.

1.4—Periodic Reports Required

(1) **REPORTING DATES.**—Each person who registers pursuant to Joint Senate and House Rule 1.2 must submit to the Lobbyist Registration Office, on forms provided by the Lobbyist Registration Office and for each reporting period required by this rule, a signed and certified statement listing all lobbying expenditures during the reporting period and the sources of funds for those expenditures as required in this rule. Reporting statements shall be filed no later than 45 days after the end of the reporting period. Unless a special session is called, only two reports are required each calendar year. The first report shall disclose expenditures made from January 1 through the date of adjournment of the regular session of the Legislature, including an extension, if any. The second report shall disclose expenditures for the remainder of the calendar year. However, whenever the Legislature convenes in a special session, a separate, supplemental report is required which shall disclose all expenditures incurred during the period since the end of the period covered by the last previous report required to be filed through adjournment of that special session. Following adjournment of a special session for which a separate, supplemental report is required, the next report required to be filed shall disclose all expenditures incurred from the date of adjournment of that special session through the end of the reporting period applicable to that next required report. It is the intent of this rule that each reporting period be

separate from every other reporting period and that each expenditure be reported just once. In addition, any reporting statement may be filed by electronic means, when feasible.

(2) **TIMELINESS OF REPORTS.**—Reports shall be filed not later than 5 p.m. of the report due date. However, any report that is post-marked by the United States Postal Service no later than midnight of the due date shall be deemed to have been filed in a timely manner. A certificate of mailing obtained from and dated by the United States Postal Service at the time of the mailing, or a receipt from an established courier company which bears a date on or before the due date, shall be proof of mailing in a timely manner.

(3) **LOBBYIST'S EXPENDITURE REPORT.**—

(a) The Lobbyist's Expenditure Report shall include the name of the lobbyist and the name of the principal on whom the report is prepared. Expenditures for the reporting period shall be reported by the following categories: Food and Beverages; Entertainment; Research; Communications; Media Advertising; Publications; Travel; Lodging; Special Events; and Other. For each expenditure category, the report must identify the amount paid directly by the lobbyist, directly by the principal, initiated or expended by the lobbyist and paid for by the principal, or initiated or expended by the principal and paid for by the lobbyist. Forms shall be provided by the Lobbyist Registration Office.

(b) A lobbyist shall file a Lobbyist's Expenditure Report for each principal represented.

(c) When a principal has two or more lobbyists, the principal shall designate one lobbyist who will be responsible for filing a report which discloses the expenditures made directly by the principal and the expenditures of the designated lobbyist on behalf of the principal. The designated lobbyist is responsible for making a good faith effort to obtain the figures reported as lobbying expenditures made by the principal.

(d) When there are multiple lobbyists, only the designated lobbyist is to report expenditures made directly by the principal. When there are multiple lobbyists, only unduplicated amounts should be reported for expenditures initiated or expended by the lobbyist and paid for by the principal.

(e) The principal is responsible for the accuracy of the figures submitted to the lobbyist for reporting, and the lobbyist is responsible for the accuracy of the figures reported as lobbying expenditures made by that lobbyist.

(4) **EXPENDITURES.**—

(a) **Definitions.**—

1. "Expenditure" means a payment, distribution, loan, advance, reimbursement, deposit, or anything of value made or controlled, directly or indirectly, by a lobbyist or principal for the purpose of lobbying.

Expenditures shall be accounted for and reported on an accrual accounting basis.

2. "Accrual accounting basis" means the method of accounting that recognizes expenses during the period in which they are incurred regardless of when they are actually paid.

(b) Goodwill expenditures.—An expenditure shall be considered to have been intended to be for the purpose of engendering goodwill if it is a gift, an entertainment, any food or beverage, or any other item or service of similar personal benefit to a member or an employee of the Legislature, unless the member or employee is a relative of the lobbyist. A relative is an individual who is related to the member or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, or step great grandchild; any person who is engaged to be married to the member or employee or who otherwise holds himself or herself out as or is generally known as the person whom the member or employee intends to marry or with whom the member or employee intends to form a household; or any other natural person having the same legal residence as the member or employee.

(c) Expenditure categories.—Each reporting individual shall make a good faith effort to report an expenditure and to report it in the appropriate category. If an expenditure fits in two or more categories, it shall be reported in the category to which the expense primarily relates. When an expenditure is not within any defined category, it should be reported in the "Other" category. The categories of expenditures used in this rule are as follows:

1.a. "Communications" means dissemination of information, including, but not limited to, by means of the following:

I. Audio-visual materials; and

II. Signs, placards, banners, buttons, promotional materials, and other display materials;

together with any associated production services.

b. This category does not include media advertising, publications, or research.

2. "Entertainment" means amusement or recreation, including, but not limited to, sporting, hunting, fishing, theatrical, artistic, cultural, and musical activities or events.

3. "Food and Beverages" means meals, snacks or other edible substances, or liquids for drinking, including services associated therewith.

4. "Lodging" means sleeping or living accommodations for an individual for one or more nights.

5. “Media Advertising” means newspaper and magazine advertising, radio and television advertising, and outdoor advertising, including production services and copyrighting services.

6. “Other” means any item or service that is not included within one of the specified categories, but does not include any item or service that is not required by law to be reported.

7. “Publications” means mass-produced, printed materials, including, but not limited to, magazines, newsletters, brochures, or pamphlets, which expressly encourage persons to communicate with members or employees of the Legislature to influence the official actions of members or employees of the Legislature or which are designed to communicate with members or employees of the Legislature.

8. “Research” means procurement of information relating to a specific issue, regardless of the form or medium in which that information is provided, including, but not limited to, surveys, bill-tracking services, information services, periodicals, and consultants or consultant services to gather data or statistics.

9. “Special Events” means large-scale occurrences, including, but not limited to, receptions, banquets, dinners, or legislative days, to which more than 250 persons are invited and for which the expenditures associated with hosting the occurrence are negotiated with a catering service or facility at a single, set price or which include multiple expenditure categories.

10. “Travel” means transporting an individual from one place to another, regardless of the means used.

(d) Items that are not expenditures.—The term “expenditure” does not include:

1. Contributions or expenditures reported pursuant to chapter 106, Florida Statutes; campaign-related personal services provided without compensation by individuals volunteering their time; or any other contribution or expenditure by a political party.

2. A lobbyist’s or principal’s salary, office expenses, and personal expenses for lodging, meals, and travel. If the principal is a firm, corporation, association, or person, other than a natural person, the office expenses of the entity and the salaries of the officers of the entity, as well as expenses for their lodging, meals, and travel, are not lobbying expenditures. Office expenses include, but are not limited to, payment or obligation for rent or mortgage, utilities, postage, telephone service, employees’ salaries, furniture, copies, computers, software, paper supplies, and custodial or maintenance services. Communications, publications, and research are office expenses if performed or produced by the lobbyist or principal or their employees. If those functions are performed by independent contractors, other than the lobbyist or principal or an affiliate controlled by the principal, they are expenditures reportable under the appropriate expenditure category.

3. If an expense is incurred for a nonlobbying business purpose and the product of that expense is later used for a lobbying purpose, a reportable expenditure is not created.

(e) Valuation of expenditures.—

1. In calculating the amount of aggregate expenditures, a lobbyist or principal may, prior to prorating, round each entry up or down to the nearest \$5. A record is not required to be maintained for any amount that rounds to zero.

2. The amount to be reported for an expenditure shall be determined using the actual cost to the lobbyist or principal or other person making the payment on behalf of the lobbyist or principal, less any compensation received by such lobbyist or principal in payment for the object of the expenditure. If a lobbyist or principal makes a contribution to an expenditure by another lobbyist or principal, the person making the contribution shall report the amount of the contribution as an expenditure, and the person receiving the contribution shall subtract the value of the contribution from the expenditure to be reported by that person.

3. When a lobbyist has multiple principals, expenditures made for the purpose of engendering goodwill that are not attributable to one principal may be prorated among the lobbyist's principals or may be attributed to one principal.

4. When a lobbyist has multiple principals, expenditures for research or other expenditures that may benefit several principals may be reported to the principal for whom the research was done or other expenditures incurred or prorated to those principals that may benefit from the research or other expenditures.

5. The amount reported as an expenditure shall not include the amount of any additional expenses that are required as a condition precedent to eligibility to make an expenditure if the amount expended for the condition precedent is primarily intended to be for a purpose other than lobbying or if it is paid to a charitable organization. If the amount expended for the condition precedent is primarily intended to be for a lobbying purpose and is not paid to a charitable organization, the total amount of the expenditure shall be reported as a lobbying expenditure. Initiation fees, membership fees, and booster fees are examples, although not exclusive examples, of additional expenses that are regularly required as conditions precedent for eligibility to make other expenditures.

6. A person providing transportation in a private automobile shall be considered to be making an expenditure at the rate of 29 cents per mile, and the amount of an expenditure made for transportation provided in other private conveyances shall be determined in accordance with the provisions of section 112.3148(7), Florida Statutes.

7. A person providing lodging in a private residence shall be considered to be making an expenditure of \$29 per night.

8. Expenditures made for more than one person may be attributed, on a pro rata basis, among all of the persons for whom the expenditure is made.

(5) **AGGREGATION OF EXPENDITURE FIGURES.**—For each reporting period, the Lobbyist Registration Office shall aggregate the expenditures reported by all of the lobbyists for a principal represented by more than one lobbyist. Following the last report for each calendar year, the Lobbyist Registration Office shall provide a total of expenditures reported as spent by and on behalf of each principal for that calendar year.

1.5—Penalties for Late Filing

(1) Upon determining that a report is late, the person designated to review the timeliness of reports shall immediately notify the lobbyist as to the failure to timely file the report and that a fine is being assessed for each late day. The fine shall be \$50 per day per report for each late day.

(2) Upon receipt of the report, the person designated to review the timeliness of reports shall determine the amount of the fine due based upon the earliest of the following:

(a) When a report is actually received by the lobbyist registration and reporting office;

(b) When the report is postmarked;

(c) When the certificate of mailing is dated; or

(d) When the receipt from an established courier company is dated.

(3) Such fine shall be paid within 20 days after receipt of the notice of payment due, unless appeal is made to the Lobbyist Registration Office. The moneys shall be deposited into the Legislative Lobbyist Registration Trust Fund.

(4) A fine shall not be assessed against a lobbyist the first time any reports for which the lobbyist is responsible are not timely filed. However, to receive this one-time fine waiver, all reports for which the lobbyist is responsible must be filed within 20 days after receipt of notice that any reports have not been timely filed. A fine shall be assessed for any subsequent late-filed reports.

(5) The person designated to review the timeliness of reports shall notify the director of the division of the failure of a lobbyist to file a report after notice or of the failure of a lobbyist to pay the fine imposed.

1.6—Appeal of Fines; Hearings; Unusual Circumstances

(1) A lobbyist wishing to appeal or dispute a fine imposed in accordance with Joint Senate and House Rule 1.5 shall file with the Lobbyist Registration Office a notice of appeal within 20 days after the date of receipt of the notice of payment due, setting out with specificity the unusual circumstances surrounding the failure to file on the designated due date. A request for a hearing on the matter before the General Counsel of the Office of Legislative Services must be made within the same 20-day

period. The notice of appeal may be accompanied by any documentation or evidence supporting the claim. Failure to timely file a notice of appeal as described in this subsection shall constitute a waiver of the right to appeal or to dispute a fine.

(2) The President of the Senate and the Speaker of the House of Representatives may waive the fine in whole or in part for good cause shown based on the unusual circumstances presented by the lobbyist.

(3) The term “unusual circumstances” for the purposes of this rule means uncommon, rare, or sudden events over which the person has no control and which directly result in the failure to meet the filing requirements.

1.7—Questions Regarding Registration

(1) A person may request in writing an informal opinion from the general counsel of the Office of Legislative Services as to the application of this rule to a specific situation. The general counsel shall issue the opinion within 10 days after receiving the request. The informal opinion may be relied upon by the person who requested the informal opinion. A copy of each informal opinion which is issued shall be provided to the presiding officer of each house. The committees designated under section 11.045(4), Florida Statutes, may revise any informal opinion rendered by the general counsel through an advisory opinion to the person who requested the informal opinion. The advisory opinion shall supersede the informal opinion as of the date the advisory opinion is issued.

(2) Persons in doubt about the applicability or interpretation of this rule may submit in writing the facts for an advisory opinion to the committee of either house designated pursuant to section 11.045(4), Florida Statutes, and may appear in person before the committee in accordance with section 11.045(4), Florida Statutes.

1.8—Open Records

All of the lobbyist registration and expenditure reports received by the Lobbyist Registration Office shall be available for public inspection and for duplication at reasonable cost.

1.9—Records Retention and Inspection

Each lobbyist and each principal shall preserve for a period of 4 years all accounts, bills, receipts, computer records, books, papers, and other documents and records necessary to substantiate lobbying expenditures. Upon receipt of a complaint based upon the personal knowledge of the complainant made pursuant to the Senate Rules or Rules of the House of Representatives, any such documents and records may be inspected when authorized by the President of the Senate or the Speaker of the House of Representatives, as applicable. The person authorized to perform the inspection shall be designated in writing and shall be a member of The Florida Bar or a certified public accountant licensed in Florida. Any information obtained by such an inspection may only be used for purposes authorized by law, this rule, Senate Rules, or Rules of the House of

Representatives, which purposes may include the imposition of sanctions against a person subject to this rule or Senate Rules or the Rules of the House of Representatives. Any employee who uses that information for an unauthorized purpose is subject to discipline. Any member who uses that information for an unauthorized purpose is subject to discipline under the applicable rules of each house. The right of inspection may be enforced by appropriate writ issued by any court of competent jurisdiction.

JOINT RULE TWO

GENERAL APPROPRIATIONS BILL

2.1—General Appropriations Bill; Review Period

(1) A general appropriations bill shall be subject to a 72-hour public review period before a vote is taken on final passage in the house in which the bill originates.

(2) A review period is not required prior to a vote being taken on final passage of the same bill in the nonoriginating house, provided the bill is not amended. If a bill is amended, the amendment being a bill previously furnished pursuant to this rule, another review period is not required. If, however, the amendment was not previously furnished pursuant to this rule, another 72-hour public review period shall be provided before a vote is taken on final passage.

(3) If a bill is returned to the house in which the bill originated and the originating house does not concur in all the amendments or adds additional amendments, no further action shall be taken on the bill by the nonoriginating house, and a conference committee shall be established by operation of this rule to consider the bill.

(4) If a bill is referred to a conference committee by operation of this rule, a 72-hour public review period shall be provided prior to a vote being taken on the conference committee report by either house.

(5) A copy of the bill, a copy of the bill with amendments adopted by the nonoriginating house, or the conference committee report shall be furnished to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet. Copies for the Governor, Chief Justice and members of the Cabinet shall be furnished to the official's office in the Capitol or Supreme Court Building. A member's copy shall be furnished to the member's desk in the appropriate chamber. The Secretary of the Senate shall be responsible for furnishing copies under this rule for Senate bills, House bills as amended by the Senate, and conference committee reports on Senate bills. The Clerk of the House shall be responsible for furnishing copies under this rule for House bills, Senate bills as amended by the House, and conference committee reports on House bills.

(6) The 72-hour public review period shall begin to run upon completion of the furnishing of copies required to be provided herein. The Speaker of the House or the President of the Senate, as appropriate, shall be

informed of the completion time and such time shall be announced on the floor prior to vote on final passage in each house and shall be entered in the journal of each house. Saturdays, Sundays, and holidays shall be included in the computation under this rule.

2.2—General Appropriations Bill; Definition

For the purposes of Joint Rule 2, the term “general appropriations bill” means a bill which provides for the salaries of public officers and other current expenses of the state and contains no subject other than appropriations. A bill which contains appropriations which are incidental and necessary solely to implement a substantive law is not included within this term.

JOINT RULE THREE

(As Amended April 1998)

LEGISLATIVE SUPPORT SERVICES

3.1—Organizational Structure

The Legislature shall be supported by the Office of Legislative Services, the Office of Legislative Information Technology Services, and the Office of Economic and Demographic Research. These offices shall provide support services that are determined by the President of the Senate and the Speaker of the House of Representatives to be necessary and that can be effectively provided jointly to both houses and other units of the Legislature. Each office shall be directed by a coordinator selected by the President of the Senate and the Speaker of the House of Representatives.

(1) The Office of Legislative Services shall provide legislative support services other than those prescribed in subsections (2) and (3). The Division of Statutory Revision and the Division of Legislative Information shall be two of the divisions within the Office of Legislative Services.

(2) The Office of Legislative Information Technology Services shall provide support services to assist the Legislature in achieving its objectives through the application of cost-effective information technology.

(3) The Office of Economic and Demographic Research shall provide research support services, principally regarding forecasting economic and social trends that affect policymaking, revenue, and appropriations.

3.2—Policies

The President of the Senate and the Speaker of the House of Representatives shall jointly adopt policies they consider advisable to carry out the functions of the Legislature.

JOINT RULE FOUR

(As Amended April 1998)

JOINT LEGISLATIVE AUDITING COMMITTEE

4.1—Responsibilities

(1) On or before December 31 of the year following each decennial census, the Legislative Auditing Committee shall review the performance of the Auditor General and shall submit a report to the Legislature which recommends whether the Auditor General should continue to serve in office.

(2) The expenses of the members of the committee shall be approved by the chair of the committee and paid from the appropriation for legislative expense.

(3) The committee shall review the budget request submitted by the Auditor General and the Office of Program Policy Analysis and Government Accountability and may amend or change it as deemed necessary. The budget request, as amended or changed by the committee, shall become the operating budget of the Auditor General or the Office of Program Policy Analysis and Government Accountability for the ensuing fiscal year; provided that the budget so adopted may subsequently be amended under the same procedure.

(4) The committee shall submit to the President of the Senate and the Speaker of the House of Representatives, for approval, an estimate of the financial needs of the committee, the Auditor General, and the Office of Program Policy Analysis and Government Accountability.

(5) The committee may at any time, without regard to whether the Legislature is in session, take under investigation any matter within the scope of an audit either completed or then being conducted by the Auditor General or the Office of Program Policy Analysis and Government Accountability, and in connection with such investigation may exercise the powers of subpoena by law vested in a standing committee of the Legislature.

(6) The committee shall review the performance of the director of the Office of Program Policy Analysis and Government Accountability every 4 years and shall submit a report to the Legislature recommending whether the director should be reappointed. A vacancy in the office must be filled in the same manner as the original appointment.

(7) Upon completion of the initial program evaluation and justification review of each state agency listed in s. 216.0172, Florida Statutes, the Office of Program Policy Analysis and Government Accountability shall conduct such reviews only at the direction of the Legislative Auditing Committee.

4.2—Annual audit of financial records

(1) The Legislative Auditing Committee shall contract with a certified public accountant licensed under chapter 473, Florida Statutes, for an

annual audit of the financial records of the Legislative Auditing Committee, the Auditor General, and the Office of Program Policy Analysis and Government Accountability.

(2) Copies of the audit shall be delivered to the President of the Senate, the Speaker of the House of Representatives, the Auditor General or the director of the Office of Program Policy Analysis and Government Accountability, as appropriate, and the members of the Legislative Auditing Committee.

JOINT RULE FIVE

AUDITOR GENERAL

5.1—Rulemaking authority

The Auditor General shall make and enforce reasonable rules and regulations necessary to facilitate audits which he or she is authorized to perform.

5.2—Budget and accounting

(1) The Auditor General shall prepare and submit annually to the Joint Legislative Auditing Committee a proposed budget for the ensuing fiscal year. The committee shall review the budget request and may amend or change the budget request as it deems necessary. The budget request, as amended or changed by the committee, shall become the operating budget of the Auditor General for the ensuing fiscal year; provided that the budget so adopted may subsequently be amended under the same procedure.

(2) Within the limitations of the approved operating budget, the salaries and expenses of the Auditor General and the staff of the Auditor General shall be paid from the appropriation for legislative expense or any other moneys appropriated by the Legislature for that purpose. The Auditor General shall approve all bills for salaries and expenses, except expenses of members of the Legislative Auditing Committee, before the same shall be paid.

5.3—Audit report distribution

(1) A copy of each audit report shall be submitted to the Governor, to the Comptroller, and to the officer or person in charge of the state agency or political subdivision audited. One copy shall be filed as a permanent public record in the office of the Auditor General. In the case of county reports, one copy of the report of each county office, school district, or other district audited shall be submitted to the board of county commissioners of the county in which the audit was made and shall be filed in the office of the clerk of the circuit court of that county as a public record. When an audit is made of the records of the district school board, a copy of the audit report shall also be filed with the district school board, and thereupon such report shall become a part of the public records of such board.

(2) A copy of each audit report shall be made available to each member of the Legislative Auditing Committee.

(3) Other copies may be furnished to other persons who, as in the opinion of the Auditor General, may be directly interested in the audit or who may have some duty to perform in connection therewith.

JOINT RULE SIX

OFFICE OF PROGRAM POLICY

ANALYSIS AND GOVERNMENT ACCOUNTABILITY

6.1—Responsibilities of the director

(1) The director may adopt and enforce reasonable rules necessary to facilitate the studies, reviews, and reports that the office is authorized to perform.

(2) The director, with the consent of the Legislative Auditing Committee, may enter into contracts on behalf of the Office of Program Policy Analysis and Government Accountability.

(3) The director shall prepare and submit annually to the Legislative Auditing Committee a proposed budget for the ensuing fiscal year. The committee shall review the budget request and may amend or change the budget request as it deems necessary. The budget request shall become the operating budget of the Office of Program Policy Analysis and Government Accountability for the ensuing fiscal year; provided that the budget so adopted may subsequently be amended under the same procedure.

(4) Within the limitations of the approved operating budget, the salaries and expenses of the director and the staff of the Office of Program Policy Analysis and Government Accountability shall be paid from the appropriation for legislative expense or any other moneys appropriated by the Legislature for that purpose. The director shall approve all bills for salaries and expenses before the same shall be paid.

JOINT RULE SEVEN

CONTINUING EXISTENCE OF JOINT RULES

7.1—Continuing Existence of Joint Rules

All joint rules adopted by concurrent resolution, and amendments thereto, shall continue in effect from session to session or Legislature to Legislature until repealed by concurrent resolution.